

111TH CONGRESS
1ST SESSION

S. 1779

To amend title 38, United States Code, to provide health care to veterans exposed in the line of duty to occupational and environmental health chemical hazards, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 14, 2009

Mr. BAYH (for himself, Mr. DORGAN, Mr. LUGAR, Mr. BYRD, Mr. SPECTER, Mr. ROCKEFELLER, Mr. MERKLEY, and Mr. WYDEN) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to provide health care to veterans exposed in the line of duty to occupational and environmental health chemical hazards, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Health Care for Vet-
5 erans Exposed to Chemical Hazards Act of 2009”.

1 **SEC. 2. REVISION IN AUTHORITIES FOR PROVISION OF**
2 **HEALTH CARE FOR CERTAIN VETERANS EX-**
3 **POSED TO OCCUPATIONAL AND ENVIRON-**
4 **MENTAL HEALTH CHEMICAL HAZARDS.**

5 (a) AUTHORIZED INPATIENT CARE.—Section
6 1710(e) of title 38, United States Code, is amended—

7 (1) in paragraph (1), by adding at the end the
8 following:

9 “(F) A veteran who was exposed in the line of duty
10 to an occupational and environmental health chemical haz-
11 ard of particular concern is eligible (subject to paragraph
12 (2)) for hospital care, medical services, and nursing home
13 care under subsection (a)(2)(F) for any disability, not-
14 withstanding that there is insufficient medical evidence to
15 conclude that such disability may be associated with such
16 exposure.”;

17 (2) in paragraph (2), by adding at the end the
18 following:

19 “(C) In the case of a veteran described in paragraph
20 (1)(F), hospital care, medical services, and nursing home
21 care may not be provided under subsection (a)(2)(F) with
22 respect to—

23 “(i) a disability that is found, in accordance
24 with guidelines issued by the Under Secretary for
25 Health, to have resulted from a cause other than an
26 exposure described in paragraph (1)(F); or

1 “(ii) a health effect for which the National
2 Academy of Sciences, in a report, has determined
3 that there is limited or suggestive evidence of the
4 lack of a positive association between occurrence of
5 the health consequences in humans and exposure to
6 an occupational and environmental health chemical
7 hazard of particular concern.”; and

8 (3) in paragraph (4), by adding at the end the
9 following:

10 “(C) The term ‘occupational and environmental
11 health chemical hazard of particular concern’ means
12 an occupational and environmental health chemical
13 hazard that the Secretary of Defense determines is
14 of particular concern after considering appropriate
15 guidelines and standards for exposure, including the
16 following:

17 “(i) The military exposure guidelines speci-
18 fied in the January 2002 Chemical Exposure
19 Guidelines for Deployed Military Personnel,
20 United States Army Center for Health Pro-
21 motion and Preventive Medicine Technical
22 Guide 230 (or any successor technical guide
23 that establishes military exposure guidelines for
24 the assessment of the significance of field expo-

1 sures to occupational and environmental health
2 chemical hazards during deployments).

3 “(ii) Occupational and environmental
4 health chemical exposure standards promul-
5 gated by the Occupational Safety and Health
6 Administration.”.

7 (b) TECHNICAL AMENDMENT.—Section 1710(e)(4)
8 of such title is amended in the matter before subparagraph
9 (A) by striking “For purposes of this subsection—” and
10 inserting “In this subsection:”.

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